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RCE/2122
JF
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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

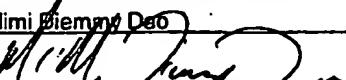
Address to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Application No. 09/752,133
Filing Date December 27, 2000
First Named Inventor Gilbert Neiger
Art Unit 2122
Examiner Name C. Das
Attorney Docket No. 042390.P9771

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114** - Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
 - a. Previously submitted If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.)
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other _____
 - b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other _____
2. **Miscellaneous**
 - a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(l) required)
 - b. Other copies of cited references.
3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.
 - a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666
 - i. RCE fee required under 37 C.F.R. § 1.17(e)
 - ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
 - iii. Processing fee under 37 CFR § 1.17(l) for Limited Suspension of Action
 - iv. Other any fees not covered by the enclosed check.
 - b. Check in the amount of \$ 770.00 enclosed
 - c. Payment by credit card (Form PTO-2038 enclosed)
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Mimi Bieman, Dco Registration No. (Attorney/Agent) 45,628
Signature  Date June 1, 2004

770.00 00

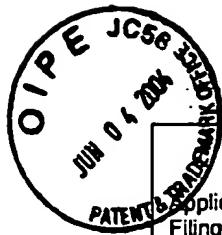
6/04/2004 JBL/MSH 00000132 09752133

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type) Michelle Begay
Signature  Date June 1, 2004

Express Mail No. (only if applicable): _____

AMENDMENT TRANSMITTALPATENT

Application No.: 09/752,133
Filing Date: December 27, 2000
First Named Inventor Gilbert Neiger
Examiner's Name: C. Das
Art Unit: 2122
Attorney Docket No.: 042390.P9771

An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.

Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.

Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.

Applicant(s) claim small entity status (37 CFR 1.27).

ATTACHMENTS

Preliminary Amendment
 Amendment/Response with respect to Office Action
 Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)
 Notice of Appeal
 RCE (Request for Continued Examination)
 Supplemental Declaration
 Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)
 Information Disclosure Statement (IDS)
 Copies of IDS citations
 Petition for Extension of Time
 Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)
 Cross-Reference to Related Application(s)
 Certified Copy of Priority Document
 Other: _____
 Other: _____
 Check(s) 770.00
 Postcard (Return Receipt)

SUBMITTED BY:

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TYPED OR PRINTED NAME: Michelle Begay

SIGNATURE: Michelle Begay

REG. NO.: 45,628

DATE: June 1, 2004

ADDRESS: 12400 Wilshire Boulevard, Seventh Floor

Los Angeles, California 90025

TELEPHONE NO.: (408) 720-8300

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450 on June 1, 2004

Date of Deposit

Michelle Begay

Name of Person Mailing Correspondence

June 1, 2004

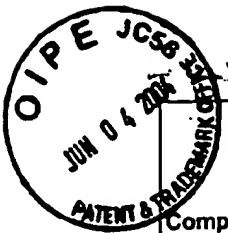
Signature

Date

Express Mail Label No. (if applicable): _____

(10/14/03)

Send to: COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, Virginia 22313-1450



FEE TRANSMITTAL FOR FY 2004

(FY 2004 Begins 10/01/2003)

TOTAL AMOUNT OF PAYMENT (\$) \$770.00

Complete if Known:

Application No. 09/752,133
 Filing Date December 27, 2000
 First Named Inventor Gilbert Neiger
 Examiner Name C. Das
 Art Unit 2122
 Attorney Docket No. 042390.P9771

Applicant claims small entity status. See 37 CFR 1.27.

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

Deposit Account

Deposit Account Number : 02-2666

Deposit Account Name: _____

The Director is Authorized to do the following with respect to the above-identified Deposit Account:

Charge fee(s) indicated below.

Credit any overpayments.

Charge any additional fees during the pendency of this application.

Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Charge fee(s) indicated below except for the filing fee.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity			Fee Paid
Fee	Fee	Fee	Fee	
Code	(\$)	Code	(\$)	
1001	770	2001	385	Utility application filing fee
1002	340	2002	170	Design application filing fee
1003	530	2003	265	Plant filing fee
1004	770	2004	385	Reissue filing fee
1005	160	2005	80	Provisional application filing fee

SUBTOTAL (1) \$ 00.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fee Paid</u>
Total Claims	<u>- 20** =</u>		X <u>=</u>
Independent Claims	<u>- 3** =</u>	X <u>=</u>	
Multiple Dependent			X <u>=</u>

**Or number previously paid, if greater; For Reissues, see below.

Large Entity	Small Entity			
Fee	Fee	Fee	Fee	Fee Description
Code	(\$)	Code	(\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 00.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee Description	Fee Paid
1051	130	2051 65 Surcharge - late filing fee or oath	_____
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	_____
1053	130	1053 130 Non-English specification	_____
1812	2,520	1812 2,520 For filing a request for ex parte reexamination	_____
1813	8,800	1813 8,800 Request for inter partes reexamination	_____
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	_____
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	_____
1251	110	2251 55 Extension for reply within first month	_____
1252	420	2252 210 Extension for reply within second month	_____
1253	950	2253 475 Extension for reply within third month	_____
1254	1,480	2254 740 Extension for reply within fourth month	_____
1255	2,010	2255 1,005 Extension for reply within fifth month	_____
1401	330	2401 165 Notice of Appeal	_____
1402	330	2402 165 Filing a brief in support of an appeal	_____
1403	290	2403 145 Request for oral hearing	_____
1451	1,510	1451 1,510 Petition to institute a public use proceeding	_____
1452	110	2452 55 Petition to revive - unavoidable	_____
1453	1,330	2453 665 Petition to revive - unintentional	_____
1501	1,330	2501 665 Utility issue fee (or reissue)	_____
1502	480	2502 240 Design issue fee	_____
1503	640	2503 320 Plant issue fee	_____
1460	130	1460 130 Petitions to the Commissioner	_____
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	_____
1806	180	1806 180 Submission of information Disclosure Stmt	_____
8021	40	8021 40 Recording each patent assignment per property (times number of properties)	_____
1809	770	2809 385 For filing a submission after final rejection (see 37 CFR 1.129(a))	_____
1814	110	2814 55 Statutory Disclaimer	_____
1810	770	2810 385 For each additional invention to be examined (see 37 CFR 1.129(b))	_____
1801	770	2801 385 Request for Continued Examination (RCE)	770.00
1802	900	1802 900 Request for expedited examination of a design application	_____
1504	300	1504 300 Publication fee for early, voluntary, or normal pub.	_____
1505	300	1505 300 Publication fee for republication	_____
1803	130	1803 130 Request for voluntary publication or republication	_____
1808	130	1808 130 Processing fee under 37 CFR 1.17(l) (except provisionals)	_____
1454	1,330	1454 1,330 Acceptance of unintentionally delayed claim for priority	_____

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$ 770.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Mimi Diemmy Dao

Signature: Mimi Diemmy Dao Date: June 1, 2003

Reg. Number: 45,628 Telephone Number: (408) 720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450